IN THE HIGH COURT OF GUJARAT AT AHMEDABAD

CIVIL REVISION APPLICATION No 8 of 2004

For Approval and Signature:

HON'BLE MR.JUSTICE P.B.MAJMUDAR

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1. Whether Reporters of Local Papers may be allowed to see the judgment? : NO

2. To be referred to the Reporter or not? : NO

3. Whether Their Lordships wish to see the fair copy of the judgement? : NO

4. Whether this case involves a substantial question of law as to the interpretation of the Constitution of India, 1950 of any Order made thereunder? : NO

5. Whether it is to be circulated to the concerned Magistrate/Magistrates,Judge/Judges,Tribunal/Tribunals? : NO

PEC LIMITED - THRO' SEAN PALHA

Versus

CAPT AMIRAS STYLIANOS

Appearance:

M/S THAKKAR ASSOC. for the Petitioner.

NOTICE UNSERVED for Respondent No. 1-2

NOTICE NOT RECD BACK for Respondent No. 3

NOTICE SERVED for Respondent No. 4-5

Mr.R.M. Chauhan, Assistant GOVERNMENT PLEADER, for Respondent No. 6

CORAM : HON'BLE MR.JUSTICE P.B.MAJMUDAR

Date of decision: 11/03/2004

ORAL JUDGEMENT

Heard Mr.Dagli and Mr.R.M. Chauhan, learned AGP, for the State.

By the impugned order, the trial court has come to the conclusion that since the plaintiff has not paid the entire court fee, there was no question of refunding the court fee. Learned Advocate for the petitioner submitted that, subsequently, he has paid the court fee. If that be so, the petitioner may again apply to the trial court for refund of the court fees. If any such application is made, the trial court is directed to decide the same on its own merits, and in accordance with law.

Subject to what is stated above, this Civil Revision Application is disposed of.

11th March, 2004 (P.B. Majmudar, J.)

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(apj)